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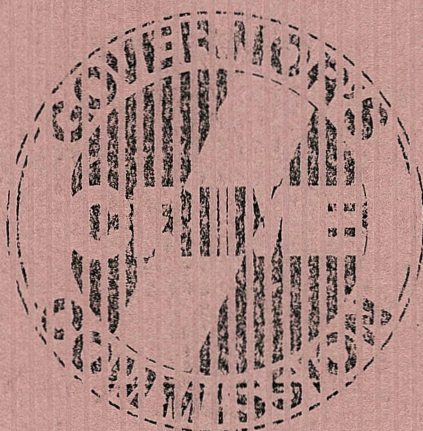
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State of Missouri

THE GOVERNOR'S COMMISSION ON CRIMINAL JUSTICE



A Report to the Governor  
for the period  
June 1981 - December 1984

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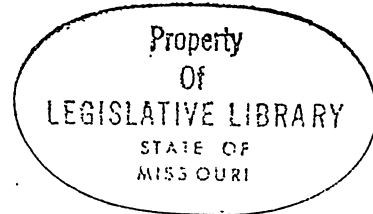
JOHN ASHCROFT  
ATTORNEY GENERAL

(314) 751-3321

December 10, 1984

APR 17 1985

The Honorable Christopher S. Bond  
Governor of Missouri  
State Capitol  
Jefferson City, Missouri 65101



Dear Governor Bond:

It is with a sense of true accomplishment that, on behalf of the members of your Commission on Crime, I present you with this Summary Report of Crime Commission activities for the period since its establishment in June 1981 through December 1984.

The challenge you gave us in June 1981 -- to involve all components and levels of criminal justice system and the citizens of Missouri in the development of effective and efficient programs to combat crime -- was a formidable one. In reviewing this report, however, I believe we have met that challenge and, in doing so, have established a pattern of cooperation and involvement which will mark subsequent state and local efforts and programs established in support of the fight against crime.

The members of the Governor's Crime Commission are to be commended for their efforts on behalf of all Missourians. The Commission members have truly shown that, "Together, we can make a difference."

Personally, my role as Chairman has been one of my most rewarding experiences, and I know that I speak for all Commissioners in thanking you for the opportunity for service which you have given us.

Most sincerely,

A handwritten signature in dark ink, appearing to read "John Ashcroft".  
JOHN ASHCROFT

**State of Missouri**  
**THE GOVERNOR'S COMMISSION ON CRIME**



**A Report to the Governor**  
**for the period**  
**June 1981 - December 1984**

## P R E F A C E

*It is the purpose of this report to share with the reader an overview of the programs and activities of the Governor's Commission on Crime since its establishment in June, 1981.*

*The Commission was conceived and brought to life during a period of financial austerity which continues to this day. Not only were funds for new programs of this nature non-existent at the state and federal levels, but the traditional source of criminal justice related funding to state and local agencies, the federal Law Enforcement Assistance Administration, was ending. Unfortunately, as this was occurring, the crime rate in Missouri had continued to rise.*

*Against this backdrop of constraints, the successes outlined in the following pages are even more significant, and are a direct result of the strengths, enthusiasm, and dedication of the Commissioners themselves, several of whom are no longer with us.*

*Claude Trieman was a successful businessman from Mountain View. He was a Contributing Founder of Missouri Boy's Town in St. James, Missouri, and brought to the Commission a comprehensive understanding of the juvenile justice system and a strong desire to improve it.*

*Judge George E. Murray was a consummate public official from Creve Coeur who, prior to his appointment to the Missouri Court of Appeals, Eastern District, in April 1982, served a total of 16 years in the Missouri House and Senate. Deeply respected for his comprehensive, yet balanced, perspective of the criminal justice system, he helped other Commissioners better understand the problems which challenged them.*

*Representative Roy Humphreys, Jr., of St. Joseph, brought to the Commission the best attributes of professional law enforcement gained from a successful career with the Federal Bureau of Investigation and, as a Legislator, the knowledge necessary to guide Commission legislation through the system. But, he was much more than a professional or a technician. He was a dedicated and compassionate individual whose sense of responsibility to the citizens of Missouri and strong sense of humor were instrumental numerous times in getting the Commission back on "the right track" and in changing concepts into concrete plans and programs.*

*It is for these gentlemen that this report is dedicated.*

December, 1984  
Jefferson City, Missouri

## C O N T E N T S

	Page
EXECUTIVE SUMMARY.....	1
ORGANIZATION OF THE COMMISSION.....	6
COMMISSION GOALS AND OBJECTIVES.....	7
OVERVIEW OF ACTIVITIES.....	9
PROGRAM SUMMARIES	
ARSON.....	10
BOATING WHILE INTOXICATED.....	12
CIVIL LIABILITY.....	13
CRIME AND THE ELDERLY.....	15
CRIME PREVENTION.....	16
LEGISLATION.....	21
LOCAL JAILS.....	25
MARIJUANA ERADICATION.....	27
OUTLAW MOTORCYCLE GANGS/EXTREMIST & TERRORIST GROUPS.....	28
PUBLIC INFORMATION.....	29
SPECIAL SUBCOMMITTEE ON THE CRIMINAL JUSTICE SYSTEM.....	30
VICTIM ASSISTANCE.....	31
OTHER COMMISSION RELATED PROGRAMS	
CRIMINAL JUSTICE SYSTEM INFORMATION.....	33
DIVERSION OF PRESCRIPTION DRUGS.....	33
DRIVING WHILE INTOXICATED.....	33
JUVENILE JUSTICE.....	34
MISSOURI CRIMINAL APPREHENSION PROGRAM.....	34
CLOSING.....	35
ROSTER OF CRIME COMMISSIONERS AND STAFF.....	36
BOATING SAFETY TASK FORCE REPORT.....	ADDENDUM 1
CRIME AND THE ELDERLY REPORT.....	ADDENDUM 2
SPECIAL SUBCOMMITTEE ON THE CRIMINAL JUSTICE SYSTEM.....	ADDENDUM 3

## I L L U S T R A T I O N S

MISSOURI CRIME INDEX OFFENSES (1971-1981).....	3
MISSOURI CRIME INDEX OFFENSES (1974-1983).....	4
MISSOURI CRIME CLOCK.....	5
COUNTIES REPRESENTED AT THE ARSON AWARENESS SEMINARS.....	11
COUNTIES REPRESENTED AT THE CIVIL LIABILITY SEMINARS.....	14
COUNTIES REPRESENTED AT THE CRIME PREVENTION PROGRAMS.....	17
EFFICIENCY SURVEY GRAPH: OPERATION IDENTIFICATION.....	18
EFFICIENCY SURVEY GRAPH: NEIGHBORHOOD WATCH.....	19
"JACK THE BURGLAR".....	20
COUNTIES REPRESENTED IN JAIL LIABILITY CONFERENCES.....	26
PHOTOGRAPH OF THE FIRST COMMISSION MEETING.....	38

## EXECUTIVE SUMMARY

Crime and its consequences are major issues in America, with many citizens rating them above economic considerations as the number one problem facing our nation today. In fact, we all are victims of crime! The Bureau of Justice Statistics reports that nearly one in three households is affected each year by a crime of violence (rape, robbery, assault or murder). Crimes of property, such as burglary, theft, and arson affect all of us in the form of higher prices at the check-out counter, and in higher automobile, homeowner's, and property insurance premiums. Our tax dollars provide over 26 billion dollars annually for federal, state and local law enforcement, and we all share an economic burden imposed by crime which is estimated at 300 billion dollars a year. And, while these and other statistics tell us a great deal about crime, the real tragedy -- the fear of becoming a victim and the psychological imprint crime leaves upon the victim and his or her family -- can never be adequately measured or known unless it is experienced first-hand.

In 1981, the frequency of reported crime in Missouri had continued to increase, as indicated by the table of "Crime Index Offenses" on page 3. For all crimes except Motor Vehicle Theft, the 1981 averages exceeded those of the total period shown by a range of from 7.8 to 30.6 percent. Significantly, these increases occurred despite an influx of federal Law Enforcement Assistance Administration (LEAA) funds during approximately the same period of time totalling over 161 million dollars for Missouri criminal justice agencies. And between 1972 and 1981, the estimated number of state and local law enforcement officers in Missouri increased by 18 percent, from 10,037 in 1972, to 11,888 in 1981.

Clearly, the criminal justice system had not worked as well as Missourians had a right to expect. While many programs initially funded through LEAA, such as victims' assistance, continue to prosper, many others have not, and their demise, understandably, accompanied the termination of LEAA funds. In the past, the availability of these funds often fostered competition, not cooperation, among criminal justice agencies as each vied for a share of the funding; and, for many of the programs which failed, the basis for failure was that they did not involve a dialogue with or active participation by the citizens whom they were designed to serve.

With this as background, Governor Christopher S. Bond established the Governor's Commission on Crime in June 1981 and asked Attorney General John Ashcroft to serve as its chairman. Based upon past experience, it was obvious that the individual components of Missouri's criminal justice system must be brought together, that an underlying philosophy of cooperation and coordination among local, state, and federal officials must be a part of all Commission endeavors, and that the active involvement of concerned citizens must be made a tangible part of the system in order for it to work. Law enforcement could not, by itself, successfully fight crime in Missouri. It was this holistic approach to the problem which led to the formation of the Commission, is reflected in the demographics of its membership, and is the basis for a phrase often associated with Crime Commission programs: "Together, We Can Make A Difference."

Since its inception, the Commission has successfully sponsored key legislation which has significantly improved the ability of the law enforcement officer to combat crime and of the legal system to both prosecute offenders and protect witnesses and victims. The Commission has also developed and presented programs

which have been attended by over 10,000 criminal justice professionals and citizens throughout the state. During the same period, over 50,000 copies of Crime Commission publications have been distributed to individuals and organizations, and the Commission has sponsored, co-sponsored, or formally participated in numerous other programs ranging from those dealing with the illegal diversion of prescription drugs to the annual Missouri Corrections' Conference.

At the time of this summary, reported crime in Missouri has decreased in both 1982 and 1983, as indicated by the "Crime Index Offenses" table on page 4. And, although the reasons for this are as varied and complex as the causes of crime itself, it is felt that the activities of the Commission have, in fact, made a "difference."

The "Missouri Crime Clock" for 1983 on page 5 indicates the frequency of occurrence of reported crime in our state for that year. For comparison, frequencies for 1981 and 1982 are shown in parenthesis. Clearly, there has been an overall decrease; although, by the time the reader has completed his or her review of this report, one violent crime and multiple property crimes will have occurred. This is not acceptable, and just as clearly, the Commission - working in concert with criminal justice professionals and concerned citizens - has much left to do.

# CRIME INDEX OFFENSES, STATE OF MISSOURI

1971 - 1981

OFFENSE	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	Avg. # Offenses 1971-1981	% Change <sup>3</sup> 1971-1981 (Avg.) to 1981
TOTAL INDEX <sup>2</sup>	181,672	176,861	183,410	214,752	242,014	228,009	208,494	207,875	223,844	253,869	250,502	215,573	+16.2
VIOLENT INDEX	17,521	17,601	18,611	20,751	22,743	20,674	21,296	21,874	24,353	26,128	25,667	21,565	+19.0
PROPERTY INDEX <sup>2</sup>	164,151	159,260	164,799	194,001	219,271	207,335	187,198	186,001	199,491	227,741	224,835	194,008	+15.9
MURDER	398	371	399	429	477	395	431	461	505	515	495	443	+11.7
FORCIBLE RAPE	1,152	1,160	1,262	1,225	1,150	1,241	1,278	1,302	1,550	1,521	1,395	1,294	+ 7.8
ROBBERY	8,438	8,227	9,039	10,165	11,460	9,525	8,961	8,768	10,011	10,787	10,450	9,621	+ 8.6
AGGRAVATED ASSAULT	7,533	7,843	7,911	8,932	9,656	9,513	10,626	11,343	12,287	13,305	13,327	10,207	+30.6
BURGLARY	51,606	48,904	54,165	65,165	66,622	62,464	58,994	60,945	64,728	76,314	72,773	62,062	+17.3
THEFT <sup>1</sup>	89,279	88,587	90,247	109,226	131,175	127,071	110,697	107,913	115,881	129,875	132,332	112,026	+18.1
MOTOR VEHICLE THEFT	23,266	21,769	20,387	19,610	21,474	17,800	17,507	17,143	18,882	19,358	17,869	19,551	- 8.6
ARSON <sup>2</sup>	-	-	-	-	-	-	-	-	-	2,194	1,861	-	-

<sup>1</sup>Theft of less than \$50 was not an index offense until 1974. However, this class of crime has been included in the 1971 through 1973 Total Index, Property Index and Theft totals to maintain uniformity and comparability over the eleven year period.

<sup>2</sup>Arson was not reported as an index offense until 1980. In this table, arson figures are included in the Total Index and Property Index totals for 1980 and 1981 but are not reflected in the percent change 1971-1981 (avg) to 1981 or in the average number of offenses.

<sup>3</sup>This column was computed as follows: 
$$\frac{1981 \text{ Offenses} - \text{Average \# of Offenses (1971-1981)}}{\text{Average \# of Offenses (1971-1981)}}$$

CRIME INDEX OFFENSES, STATE OF MISSOURI

1974 - 1983

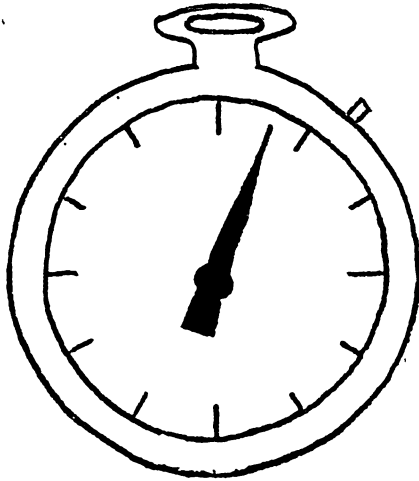
OFFENSE	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
TOTAL INDEX <sup>1</sup>	214,752	242,014	228,009	208,494	207,875	223,844	253,869	250,502	233,084	214,023
VIOLENT INDEX	20,751	22,743	20,674	21,296	21,874	24,353	26,128	25,667	24,233	22,884
PROPERTY INDEX <sup>1</sup>	194,001	219,271	207,335	187,198	186,001	199,491	227,741	224,835	208,851	191,139
MURDER	429	477	395	431	461	505	515	495	454	379
FORCIBLE RAPE	1,225	1,150	1,241	1,278	1,302	1,550	1,521	1,395	1,228	1,266
ROBBERY	10,165	11,460	9,525	8,961	8,768	10,011	10,787	10,450	9,397	8,223
AGGRAVATED ASSAULT	8,932	9,656	9,513	10,626	11,343	12,287	13,305	13,327	13,154	13,016
BURGLARY	65,165	66,622	62,464	58,994	60,945	64,728	76,314	72,773	64,527	56,221
THEFT	109,226	131,175	127,071	110,697	107,913	115,881	129,875	132,332	126,868	118,295
MOTOR VEHICLE THEFT	19,610	21,474	17,800	17,507	17,143	18,882	19,358	17,869	15,767	15,055
ARSON <sup>1</sup>	-	-	-	-	-	-	2,194	1,861	1,689	1,568
NUMBER OF REPORTING AGENCIES <sup>2</sup>	193	202	205	216	223	219	229	237	238	240

<sup>1</sup>Arson was not reported as an index offense until 1980. In this table, arson figures are included in the Total Index and Property Index totals for 1980-1983.

<sup>2</sup>Number of law enforcement agencies that reported crime index offense activity to the UCR Program in a given year.

MISSOURI CRIME CLOCK\*

1983



ONE INDEX CRIME OFFENSE EVERY:

2.5 MINUTES  
2.3 MINUTES (1982)  
2.1 MINUTES (1981)

ONE VIOLENT CRIME EVERY:

23 MINUTES  
21.7 MINUTES (1982)  
20.5 MINUTES (1981)

ONE PROPERTY CRIME EVERY:

2.7 MINUTES  
2.5 MINUTES (1982)  
2.3 MINUTES (1981)

ONE MURDER EVERY:

23.1 HOURS  
19.3 HOURS (1982)  
17.7 HOURS (1981)

ONE FORCIBLE RAPE EVERY:

6.9 HOURS  
7.1 HOURS (1982)  
6.3 HOURS (1981)

ONE ROBBERY EVERY:

1.1 HOURS  
55.9 MINUTES (1982)  
50.3 MINUTES (1981)

ONE AGGRAVATED ASSAULT EVERY:

40.4 MINUTES  
40.0 MINUTES (1982)  
39.4 MINUTES (1981)

ONE BURGLARY EVERY:

9.3 MINUTES  
8.1 MINUTES (1982)  
7.2 MINUTES (1981)

ONE THEFT EVERY:

4.4 MINUTES  
4.1 MINUTES (1982)  
4.0 MINUTES (1981)

ONE MOTOR VEHICLE THEFT EVERY

34.9 MINUTES  
33.3 MINUTES (1982)  
29.4 MINUTES (1981)

ONE ARSON EVERY:

5.6 HOURS  
5.2 HOURS (1982)  
4.7 HOURS (1981)

\*PROVIDED BY THE MISSOURI STATISTICAL ANALYSIS CENTER

## ORGANIZATION OF THE COMMISSION

The Commission itself, under the Chairmanship of Missouri Attorney General John Ashcroft, consists of 44 members representing all components of the criminal justice system, both state and local. Its "citizen" members include Missouri legislators, several of whom have a law enforcement background, and other concerned Missourians, many of whom represent crime prevention organizations which are active throughout the state. Several members represent major Missouri media organizations, and active use of media to promote activities and involve and inform the public is a cornerstone common to all Commission programs. The Chairmen of the Governor's Task Force on D.W.I., the State Advisory Group for Juvenile Justice and Delinquency Prevention, and the Department of Public Safety Police Advisory Board are also on the Commission, as is the past president of the International Association of Chiefs of Police, and all bring with them valuable insights gained from their other experiences and responsibilities.

In addition to those outlined above, there are 31 "ex-officio" members who, while unable to vote on Commission matters, actively attend and participate in Commission meetings and programs. Significantly, 20 of these represent federal law enforcement agencies active in Missouri.

Charged by the Governor to develop efficient, effective programs to combat crime in Missouri, the Commission itself truly does represent all components and levels of the criminal justice system, and this calculated mix of participants and philosophies greatly enhances its ability to thoroughly research, develop, coordinate, and present its programs.

At present, the Commission is divided into sub-committees established according to overall priorities of Commission effort and based upon the expertise and interests of the Commissioners themselves. Since many activities cross program lines, more than one sub-committee is often involved in the same project. An example of this is legislation, where all members participate annually in the formation of the Commission's legislative package. Another is the special sub-committee on the criminal justice system, a recently formed sub-committee which is examining all components of the criminal justice system and the impact each has upon corrections in order to recommend solutions to the severe over-crowding of state correctional facilities, while at the same time, ensuring the public's safety. In addition to these, other sub-committees are: Juvenile Justice, Crimes Against the Elderly, Crime Prevention, Repeat Offenders, Corrections, Victims' Assistance and Public Information. Since one of the Commission's objectives is to inform Missouri citizens, this last sub-committee is involved in all Commission programs.

Staff support and the direction and coordination of Commission activities on an ongoing basis are provided by the staffs of the Missouri Department of Public Safety and the State Attorney General's Office.

Formal Commission meetings are held bi-monthly at the Missouri State Highway Patrol training facility in Jefferson City, although informal sub-committee and related meetings may occasionally be held elsewhere. All meetings are open to the public and members of the media, and they are encouraged to attend.

## GOAL AND OBJECTIVES OF THE COMMISSION

Simply stated, the ultimate goal of the Crime Commission is to identify and correct weaknesses in the criminal justice system and, in doing so, to improve the quality of life for all Missourians. The objectives necessary to attain this goal were established at the first Commission meeting, and are as follows:

Objective 1: To facilitate the coordination of activities of all components of the criminal justice system, including state agencies, federal agencies, state associations, and citizen or fraternal organizations.

- 1.1 Select a commission comprised of representatives from all components of the criminal justice system.
- 1.2 Organize committees which represent each major area within the criminal justice system that will report to the commission on their particular area of expertise.
- 1.3 Establish a communications network among all components of the criminal justice system identified within the commission.

Objective 2: To promote citizen support and participation at the local level in all facets of the criminal justice system and, additionally, to emphasize the importance of the role that local citizens can play in the fight against crime.

- 2.1 Develop lines of communication and information sharing between citizen and fraternal groups and other components of the criminal justice system.
- 2.2 Permit citizen groups the opportunity to provide input in establishing priorities for the criminal justice system through participation in an open committee structure.
- 2.3 Recommend how the resources of citizen and fraternal groups can be used to address the priorities established by the crime commission.

Objective 3: To analyze the current criminal justice system, determine needs, and recommend appropriate action to be taken by state and other governmental officials and agencies.

- 3.1 Identify specific programs which have been successful in the reduction and prevention of crime in Missouri and other jurisdictions.
- 3.2 Collect information from the individual committees regarding needs in their areas of expertise.
- 3.3 Obtain information from other states and jurisdictions as to the actions taken by similar crime commissions that have been established.
- 3.4 Establish priorities for the criminal justice system in Missouri based on analysis of the information submitted from the crime commission.
- 3.5 Develop and disseminate such reports as deemed appropriate in outlining the goals, objectives and proposed methods to improve various aspects of the criminal justice system.

Objective 4: To develop a legislative package which addresses the needs of the criminal justice system in Missouri.

- 4.1 Collect information on legislative needs of the criminal justice system from professionals, participants in the system and the public at large through the commission's committee structure.
- 4.2 Analyze past and present legislative efforts dealing with the criminal justice system in Missouri.
- 4.3 Identify problem areas which have deterred the passage of past criminal justice legislation.
- 4.4 Identify specific legislation which has been enacted in other states for the reduction and prevention of crime.
- 4.5 Establish priorities for criminal justice legislation in Missouri.

Objective 5: To promote the establishment of crime commission or community justice associations at the local level.

- 5.1 Provide information and technical assistance concerning the establishment of organizations similar to those found in other jurisdictions.
- 5.2 Establish a system of two-way communication between proposed local organizations and the state crime commission through the full utilization of the committees and of commission staff.
- 5.3 Encourage the flow of information among local community organizations as they relate to the activities of the crime commission.

## CRIME COMMISSION ACTIVITIES-AN OVERVIEW

Following is a partial listing of Crime Commission activities, many of which were co-sponsored with federal, state, and local agencies and organizations. Not included of course are the thousands of hours Commissioners and staff devoted to research, support of legislation, and the many Crime Commission, Crime Commission Subcommittee, and local meetings throughout Missouri.

<u>PROGRAM</u>	<u>ACTIVITY</u>	<u>#HELD</u>	<u>ATTENDED</u>
ARSON	SEMINAR	7	701
CIVIL LIABILITY	SEMINAR	4	248
CORRECTIONS (SPECIAL SUBCOMMITTEE ON THE CRIMINAL JUSTICE SYSTEM)	HEARING	3	67
CRIME AND THE ELDERLY	HEARINGS	3	245
	WORKSHOP	1	95
CRIME PREVENTION	AWARENESS PROGRAM	9	605
	TRAINING SEMINAR	7	395
	RALLY	51	6,890
D.W.I. AWARENESS	HEARING/NEWS CONFERENCE	9	367
EXTREMISM/TERRORISM/ MOTORCYCLE GANGS	SEMINAR	3	275
JAIL LIABILITY	SEMINAR	6	206
LEGISLATIVE	FORUM	7	520
MARIJUANA ERADICATION	NEWS CONFERENCE	5	-
MEDIA RELATIONS	SEMINAR	3	94
PRESCRIPTION DRUG DIVERSION	SEMINAR	2	186
VICTIM ASSISTANCE	NEW CONFERENCE	5	-
	WORKSHOP	1	53
		<hr/> 126	<hr/> 10,947

## PROGRAM SUMMARIES

## ARSON

PROBLEM: For fire, law enforcement, and judicial officials, especially in rural areas of Missouri, the problem of arson is a growing one. Difficult to detect and prosecute, this crime has increased 400% over the last decade and presently accounts for almost 14% of all fires. And as with other crime, the innocent citizen also pays. Insurance industry representatives now estimate that from 20% to 30% of homeowner's insurance premiums go to pay for arson losses.

PROGRAM: To educate local authorities outside of the major metropolitan areas as to the problem of arson and what steps can be taken to detect, investigate and prosecute it, the Commission, in concert with the Missouri Department of Public Safety and the State Fire Marshal, developed and presented a series of seminars in seven Missouri locations during the period of June through September, 1982. While these were directed toward the law enforcement community, at the same time, Crime Commission news releases and interviews focused citizens' attention on arson and also promoted use of the toll-free arson hotline for reporting suspected cases.

PROGRAM PROGRESS TO DATE: Over 700 professionals from throughout Missouri attended the 7 arson awareness seminars, and page 11 shows the number of counties represented at them. As a result of these programs, local arson task forces were formed in the St. Joseph - Buchanan County area, Mexico - Audrain County area, and in the counties of Cape Girardeau, Jackson, Platte, St. Charles, St. Francois, Cass and Newton. Additionally, the State Fire Marshal's Office has been asked to make investigations in areas which have never before requested assistance, and arrests and convictions have been made as a result of those investigations. At present, investigators from the Fire Marshal's Office continue to be involved in local arson seminars, and have instructed over 200 additional participants to date.

**COUNTIES REPRESENT AT THE ARSON AWARE SEMINARS:**

ATCHISON, NODAWAY, WORTH, HARRISON, MERCER, PUTNAM, SCHUYLER, SCOTLAND, CLARK, HOLT, GENTRY, GRUNDY, SULLIVAN, ADAIR, KNOX, LEWIS, ANDREW, DAVIESS, LIVINGSTON, LINN, MACON, SHELBY, MARION, BUCHANAN, CLINTON, CALDWELL, CHARITON, RANDOLPH, MONROE, RALLS, PLATTE, CLAY, RAY, CARROLL, SALINE, HOWARD, BOONE, AUDRAIN, PIKE, JACKSON, LAFAYETTE, COOPER, POTTAWATTOMIE, MONTGOMERY, LINCOLN, CASS, JOHNSON, PETTIS, MORRIS, MONTEAU, CALLAWAY, WARREN, ST. CHARLES, ST. LOUIS, BATES, HENRY, BENTON, MORGAN, COLE, OSAGE, GASCONADE, FRANKLIN, JEFFERSON, VERNON, ST. CLAIR, MILLER, CAMDEN, MARIES, CRAWFORD, WASHINGTON, STE. GENEVIEVE, PERRY, CEDAR, POLK, DALLAS, LACLEDE, PULASKI, PHELPS, DENT, IRON, ST. FRANCIS, MADISON, BOLLINGER, CAPE GIRARDEAU, BARTON, DADE, GREENE, WEBSTER, WRIGHT, TEXAS, SHANNON, REYNOLDS, WAYNE, SCOTT, MISSOURI, JASPER, LAWRENCE, CHRISTIAN, DOUGLAS, HOWELL, CARTER, BUTLER, STODDARD, NEW MADRID, MC DONALD, BARRY, STONE, TANAY, OZARK, OREGON, RIPLEY, DUNKLIN, PEMISCOT.

ST LOUIS CITY  
(Not in County)

## BOATING WHILE INTOXICATED

PROBLEM: Missouri's 700,000 acres of recreational waters and over 2,000 miles of navigable streams each year attract an increasing number of visitors and are a major factor in the growth of our second largest industry: tourism. Unfortunately, boating accidents are also increasing, and, of the 10 boating fatalities registered so far in 1984, over half have been alcohol-related. Additionally, the Missouri Division of Water Safety estimates that, in 70 to 80% of all boating accidents, alcohol is a major contributing factor. Effective regulation of safe boating, due to the nature of its environment, is difficult, especially with regard to the alcohol or drug-impaired operator who is not subject to the laws or penalties which exist for the drunken driver on our highways.

PROGRAM: In response to this problem, Governor Bond asked the Crime Commission to establish a Task Force on Boating Safety to address it and related issues and to recommend solutions. In September, 1984, a task force consisting of five Crime Commissioners and twelve citizens representing boating, tourist, and insurance interests was established, and subsequently met in September and October to research the problem, review legislation enacted in other states, and take testimony from concerned citizens, several of whom had personally experienced a tragic loss as a result of an alcohol-impaired boat operator.

PROGRAM PROGRESS TO DATE: Although in existence for a relatively short period of time, the Task Force was able to develop specific recommendations, and these are contained in the Crime Commission's Recommendations of the Boating Safety Task Force which is attached as Addendum 1 to this report.

## CIVIL LIABILITY

PROBLEM: For the peace officer in Missouri, the fear of litigation arising out of his or her performance of duty is a growing and well-founded one. While protection of an individual's rights is essential in a democratic society, the incidence of frivolous law suits filed in an effort to have charges dropped, for malicious revenge, or for "easy" money, has increased in Missouri at a rate of approximately 30% annually between 1978 and 1981. For the innocent officer, the emotional stress, the time lost in court, and the financial burden imposed in defending against a suit all combine to make him or her, and ultimately, the law enforcement agency, less effective in providing service and protection to the law-abiding citizen.

PROGRAM: To inform and assist the law enforcement executive in combating this growing problem; the Commission developed and presented a Civil Liability Seminar program. Taught by locally and nationally known experts in the field of police liability, the seminars focused upon those areas and conditions in and under which frivolous suits were most prevalent, and what could be done to avoid them. The development and implementation of uniform, legitimate policies and procedural standards was also covered, and model standards which had successfully withstood challenges in other jurisdictions were reviewed and discussed.

PROGRAM PROGRESS TO DATE: This is one of the Commission's earliest programs, and four two-day civil liability seminars have been held to date, and attended by 248 law enforcement executives and officers. The counties represented at these seminars are shown on page 14. This program has been frequently requested by law enforcement agencies, and additional Commission-sponsored seminars are planned in the future. Also, the Commission has included in its Legislative Package and continues to support a proposal permitting courts to award costs and expenses to a party against whom a law suit or defense is asserted frivolously.

**COUNTIES REPRESENTED IN CIVIL LIABILITY CONFERENCES**

ST. LOUIS CITY (Not in County)

## CRIME AND THE ELDERLY

PROBLEM: The percentage of Missouri's population which is 60 years of age or older is among the highest in the country and, both in Missouri and the nation, this percentage is increasing. While statistics do show that, as a group, those aged 60 or older are less likely to be actual victims of crimes, to the senior citizen who is a victim, such statistics provide little comfort.

Surveys show that, as people grow older, their fear of crime increases. Contributing to this fear is that many of the elderly are on fixed, limited incomes and cannot always recover from a crime involving loss of funds or property. Another factor is that, because of their age, their bodies do not recover as easily from an assault or other crime involving violence. As a result of this increased fear, many elderly restrict their lives in ways that reduce their chances of being victimized - at the same time, significantly reducing their quality of life. For those who have spent much of their life working toward a comfortable retirement, and who are also responsible for many of the benefits which younger Missourians share today, this is clearly unacceptable.

PROGRAM: In an effort to focus upon the problem and bring it to the attention of Missouri citizens and the criminal justice community, the Commission conducted a series of public hearings in which a panel consisting of the Attorney General, the Director of the Missouri Department of Public Safety, and Commissioners from the areas in which the hearings were held heard testimony from representatives of the criminal justice system, agencies providing services to the elderly, and by senior citizens who were, themselves, victims of crime. Each speaker addressed the problem of crime and the elderly from his or her perspective and suggested courses of action for the Commission's consideration. A total of 325 citizens and criminal justice professionals attended the four hearings and heard testimony from 41 presenters, 17 of whom were elderly victims.

PROGRAM PROGRESS TO DATE: The hearings were invaluable, for while they confirmed generally accepted information regarding crime and the elderly, they also provided an understanding of the problem which many of the criminal justice professionals attending had not previously had.

Of the many recommendations provided the Commission during the hearings, six specific program areas have been identified for further action, and these are contained in the Crime Commission Report on Crime and the Elderly, which is attached as Addendum 2 to this report.

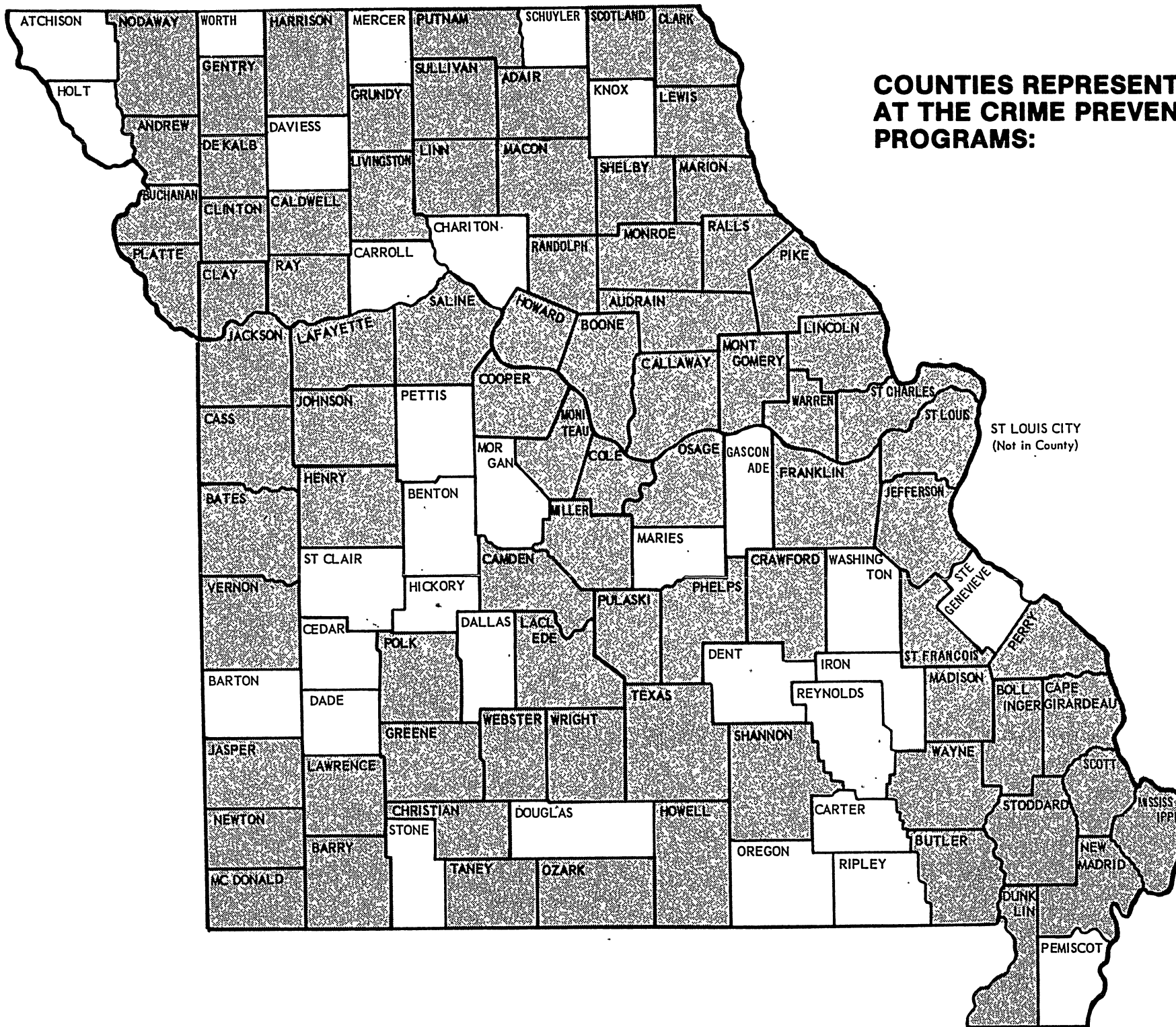
## CRIME PREVENTION

PROBLEM: The insurance industry estimates that 20-30% of property insurance premiums go to pay for burglary and theft, and although reported crimes of property decreased slightly both nationally and in Missouri from 1980 to 1982, they are still approximately 20% over the 1977 rate, and this is clearly unacceptable. To supplement the limited resources of law enforcement, there is a continuing need to educate citizens in crime prevention techniques, and to expand existing community crime prevention programs throughout Missouri. Crime prevention does work. In certain neighborhoods in Greene County where an active neighborhood watch program was established, burglary was reduced as much as 64%.

PROGRAM DESCRIPTION: To educate and involve citizens in crime prevention, the Commission developed a three-phase program to make citizens aware of crime prevention, to train both them and law enforcement in crime prevention techniques and programs, and to reinforce awareness and training. The "awareness" phase was conducted in June and July, 1982, and consisted of "kickoff" breakfasts or luncheons in nine communities, hosted by local officials and featuring the Governor, the Attorney General, and the Director of the Department of Public Safety. Their purpose was to promote crime prevention in general and to publicize the three-day training seminars to be held in seven Missouri communities in August, 1982. During this second "training" phase, nationally known instructors covered crime prevention organization, neighborhood watch, property marking, home security and environmental design. The third phase, which continues today, consists of scheduling and holding "Crime Prevention Rallies" throughout Missouri. In these endeavors, the featured speakers are the Director of Public Safety and a professional burglar, serving time in the Missouri State Penitentiary, who discusses his techniques and how they can be counteracted, and encourages citizens to work with law enforcement in neighborhood watch and related programs. Concurrent with these rallies, the Commission has developed a resource library of crime prevention literature, films and tapes, and "McGruff" crime dog costumes for use by local law enforcement and citizens' groups.

PROGRAM PROGRESS TO DATE: Approximately 1,000 representatives from 200 communities and 82 counties attended either the awareness or training phases (please see page 17). On pages 18 and 19, efficiency graphs depict those attending the training who marked personal property and became involved in neighborhood watch within a six month period following the training. The rallies, which continue at present, have been held in 47 Missouri communities and have been attended by over 6,500 citizens and local officials. Residents and organizations throughout the state have requested loan of films, tapes or McGruff costumes on 250 occasions, and over 50,000 copies of Commission crime prevention materials have been distributed.

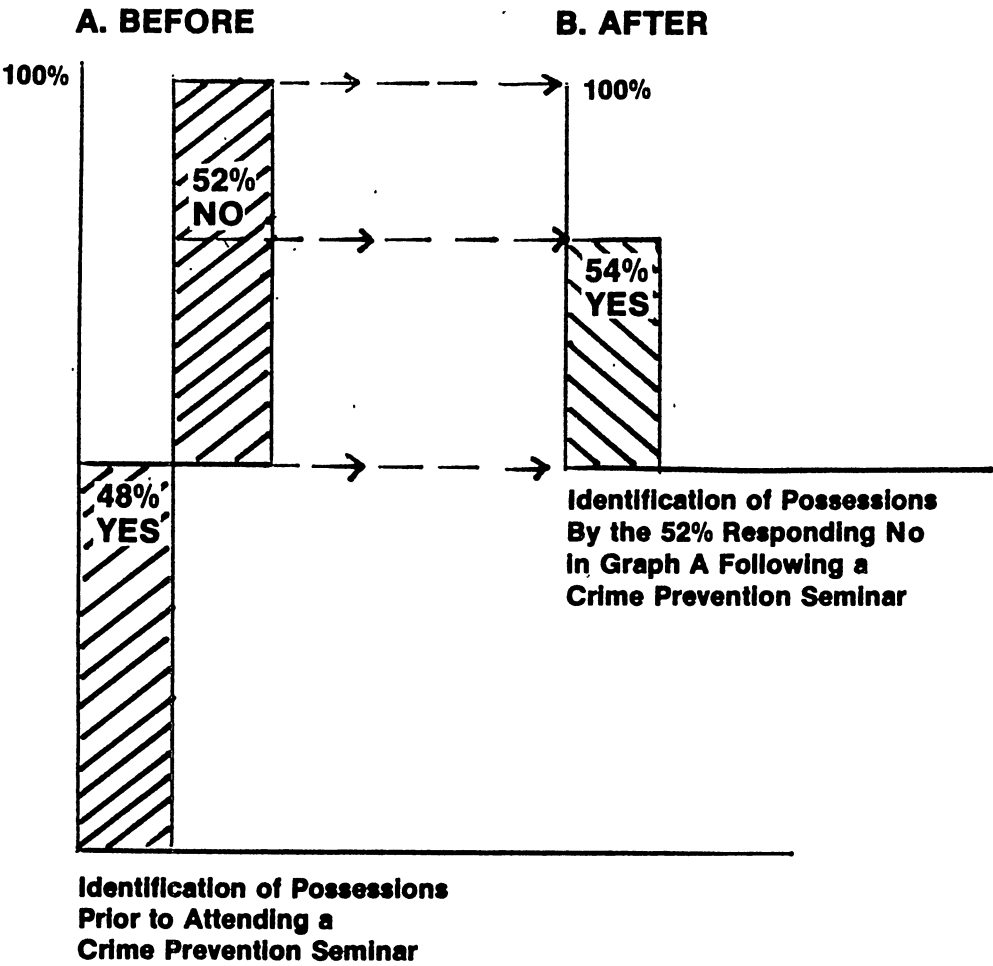
As a result of the Commission's efforts in this area, it received the Missouri Crime Prevention Association's award for "Crime Prevention Program of the Year" in 1982. And, in May, 1984, a Missourian who had been provided a "McGruff" costume and publications through the Commission when he first began his programs was awarded, in national competition, the prestigious National Crime Prevention Coalition's "Outstanding Individual Crime Prevention Practitioner of the Year" award.



# COUNTIES REPRESENTED AT THE CRIME PREVENTION PROGRAMS:

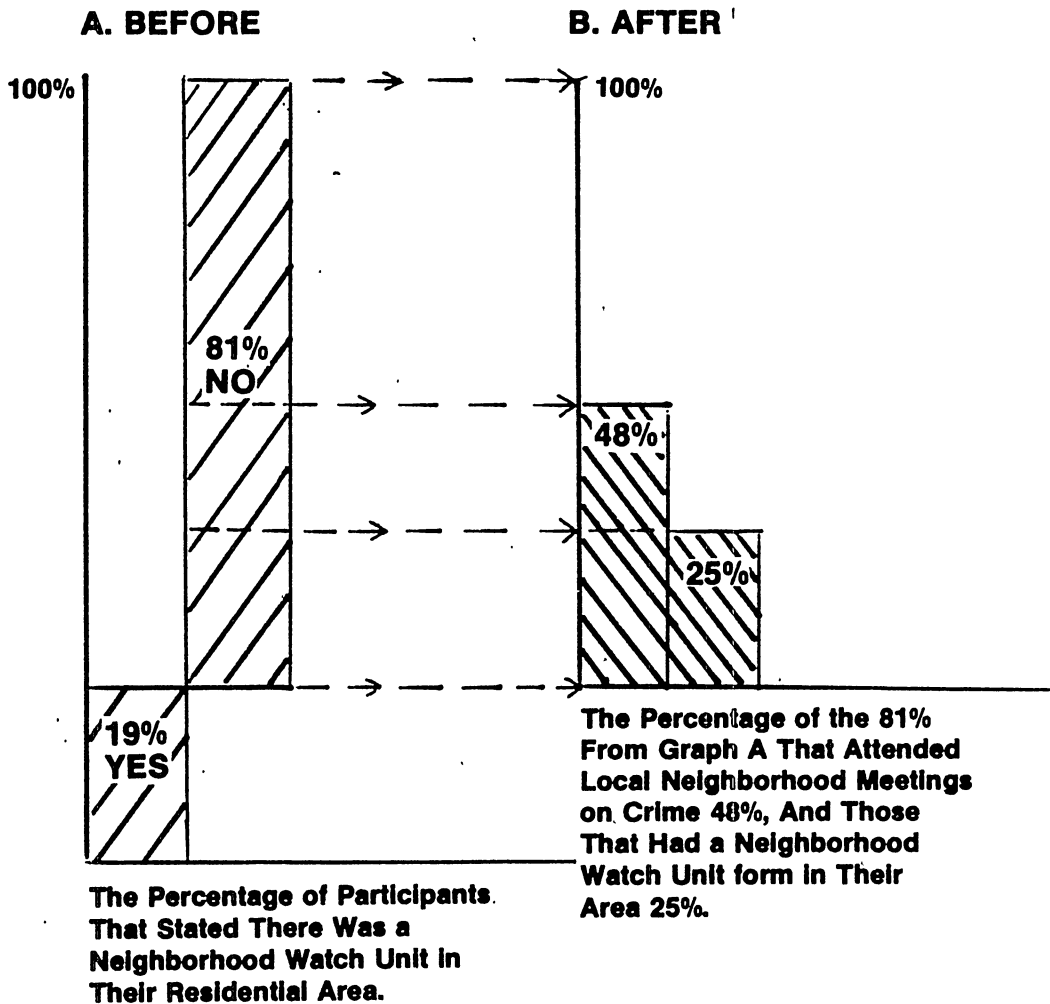
ST LOUIS CITY  
(Not in County)

**CRIME PREVENTION SEMINARS**  
**EFFICIENCY SURVEY GRAPHS: OPERATION IDENTIFICATION.**



## CRIME PREVENTION SEMINARS

### EFFICIENCY SURVEY GRAPHS: NEIGHBORHOOD WATCH UNITS



# MEET YOUR UNEXPECTED GUEST

## JACK The Burglar:

HE REQUIRES NO TRAINING  
HE WORKS WHEN HE WANTS TO  
HE WORKS WHERE HE WANTS TO  
HE PAYS NO TAXES  
HIS AVERAGE INCOME IS \$700.00  
PER 4 MINUTES  
HIS SUCCESS RATE IS 99%

STRONGEST EMOTION:  
THE ONE THING ALL TYPES OF BURGLARS  
HAVE IN COMMON IS THE FEAR OF BEING  
DISCOVERED AND CAUGHT.

BURGLARS ARE RESPONSIBLE  
NATIONWIDE FOR ALMOST 4 MILLION  
CRIMES A YEAR

### YOU NEED NOT BE A VICTIM:

THE GOVERNOR'S COMMISSION ON CRIME INVITES  
YOU TO SPEND AN EVENING WITH "JACK A  
PROFESSIONAL BURGLAR." AT THE AGE OF 62, JACK  
IS NOW CONFINED TO THE MISSOURI STATE PENITENTIARY SERVING  
A 27 YEAR SENTENCE FOR BURGLARY. LET A PROFESSIONAL WITH 35  
YEARS EXPERIENCE AS A THIEF TELL YOU HOW YOU CAN PROTECT  
YOUR HOME OR BUSINESS FROM THIS COSTLY CRIME.



## LEGISLATION

PROBLEM: Just as criminal justice professionals need the best training and equipment available to effectively and efficiently perform their roles, the laws which structure and direct their activity are just as important. Without the appropriate statutes, the ability of the individual, no matter how proficient, to successfully investigate, apprehend, and prosecute, while also assisting the victim, witness, or other law abiding citizen, is severely hampered. And, as the scope of criminal activity changes, laws must be updated or new laws created to meet the challenge.

PROGRAM: Each year, the Commission reviews the current state of Missouri criminal justice-related law, analyzes problems which can reasonably be resolved through legislation, and obtains and reviews model legislation from other states or organizations which could be of value in Missouri. Potential legislation from these efforts is then combined with appropriate measures which have previously been introduced in the Legislature but were unsuccessful, and, from this list, the Commission selects those bills which it wishes to endorse and actively support during the next session. This final "package", as it is called, is also provided to the Missouri Police Chiefs, Missouri Sheriffs, Missouri Prosecutors, and other organizations for their active support; and, Commission members and staff promote it in meetings with legislators, at news conferences, through contact with criminal justice professionals and citizens, and, in testimony before House and Senate committees.

In addition to these efforts, following the close of each legislative session, the Commission has worked with the Missouri Police Chiefs and other associations to conduct seminars for law enforcement executives which outline and explain the provisions of newly-enacted criminal justice-related statutes with which they should be familiar.

PROGRAM PROGRESS TO DATE: During the 1982, 1983, and 1984 sessions of the Missouri General Assembly, the Crime Commission has been most successful in securing the passage of important criminal justice legislation. Of the 53 bills endorsed by the Commission in this three-year period, 20 bills, or 38% have been enacted into law. A summary of these is as follows:

### HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILLS 1454, 1131, AND 1203 (TAMPERING LAW - 1982)

THIS SUBSTITUTE INCORPORATED TWO CRIME COMMISSION MEASURES, ONE ADDRESSING THE CRIME OF TAMPERING WITH MOTOR VEHICLES, FARM, AND CONSTRUCTION EQUIPMENT, AND THE SECOND DEALING WITH THE REMOVAL OF MANUFACTURER OR OWNER APPLIED IDENTIFICATION NUMBERS. THIS LAW WAS ENACTED BASICALLY TO PROVIDE STIFFER PENALTIES FOR THOSE WHO COMMITTED SUCH CRIMES. LESSER PENALTIES HAD INADVERTENTLY BEEN ADDED WHEN THE CRIMINAL CODE WAS REVISED IN 1978.

### HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE BILL 522 (DRUG PARAPHERNALIA, KIDDIE DOPE, FORFEITURE OF DRUG PROFITS - 1982)

AS SHOWN IN THE TITLE, THIS SUBSTITUTE INCLUDED THREE COMMISSION ENDORSED PROPOSALS. BASICALLY, IT PROHIBITS THE USE, MANUFACTURE, SALE, AND

ADVERTISEMENT OF DRUG PARAPHERNALIA AND KIDDIE DOPE (IMITATION CONTROLLED SUBSTANCES), AND PROVIDES FOR THE FORFEITURE OF ALL PROFITS FROM ILLEGAL DRUG SALES.

HOUSE BILL 1201 (FIREARMS LAW AND ARMED CRIMINAL ACTION - 1982)

INITIALLY, THIS LEGISLATION WAS INTRODUCED PRIMARILY TO REVISE MISSOURI FIREARMS LAW RELATING TO CONCEALABLE WEAPONS. IT WAS LATER AMENDED TO INCLUDE ARMED CRIMINAL ACTION, A COMMISSION-ENDORSED PROPOSAL WHICH WAS INTRODUCED TO RESOLVE THE PROBLEMS OF CONSTITUTIONALITY OF AN EARLIER LAW TO ALLOW THE IMPOSITION OF AN ADDITIONAL SENTENCE FOR COMMITTING A CRIME WITH A DANGEROUS INSTRUMENT OR DEADLY WEAPON.

HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL 24 (WITNESS PROTECTION/SEARCH WARRANTS - 1983)

THIS SUBSTITUTE COMBINED TWO COMMISSION BILLS. THE SEARCH WARRANT PORTION ALLOWS A WARRANT TO BE ISSUED TO SEARCH FOR AND SEIZE ANY EVIDENCE PERTAINING TO THE COMMISSION OF A CRIME, OR TO SEARCH FOR ANY PERSON FOR WHOM A FELONY ARREST WARRANT IS OUTSTANDING. THE WITNESS PROTECTION SEGMENT ESTABLISHES THE CRIME OF WITNESS TAMPERING, WITH PENALTIES, PROVIDES FOR VIDEOTAPE DEPOSITIONS OF ESSENTIAL WITNESSES, AND ALLOWS THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY, AT THE REQUEST OF THE ATTORNEY GENERAL OR A PROSECUTING ATTORNEY, TO PROVIDE FOR THE SECURITY OF WITNESSES, POTENTIAL WITNESSES, AND THEIR IMMEDIATE FAMILY IN CRIMINAL PROCEEDINGS WHERE A CLEAR AND PRESENT DANGER TO THEM EXISTS. RECENT INSTANCES IN MISSOURI HAD OCCURED IN WHICH INDIVIDUALS WERE MURDERED TO PREVENT THEIR TESTIMONY, AND THIS BILL WAS ENACTED TO PREVENT THIS MOST HEINEOUS CRIME FROM REOCCURRING.

HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL 294 (DIVISION OF DRUG AND CRIME CONTROL - 1983)

THIS BILL CREATED A DIVISION OF DRUG AND CRIME CONTROL WITHIN THE HIGHWAY PATROL TO ASSIST LOCAL LAW ENFORCEMENT IN THE INVESTIGATION OF SUCH ORGANIZED AND MULTI-JURISDICTIONAL CRIMES AS AUTO-THEFT AND DRUG TRAFFICKING. INTRODUCED IN ONE FORM OR ANOTHER FOR THE PAST 20 YEARS, THIS IMPORTANT LEGISLATION WAS FINALLY ENACTED IN 1983 AFTER A COORDINATED AND CONCERTED EFFORT AMONG LEGISLATORS, AND STATE, LOCAL, AND FEDERAL LAW ENFORCEMENT OFFICIALS.

HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL 276 (REVISION OF HOMICIDE STATUTES - 1983)

THIS LEGISLATION EXTENSIVELY REWRITES PROVISIONS RELATING TO HOMICIDE AND ASSAULTS, PROCEDURES FOR TRIALS IN THOSE CASES, AVAILABLE DEFENSES, VENUE PROVISIONS, SENTENCING, AND PUNISHMENT. IT RESTRICTS THE USE OF THE INTOXICATED OR DRUGGED CONDITION DEFENSE AND REPLACES THE PRESENT OFFENSE OF CAPITAL MURDER WITH FIRST DEGREE MURDER, AMONG OTHER CHANGES.

HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL 72 (MISDEMEANOR ARREST POWERS,  
ARREST RECORDS, AND THE CRIME OF PROMOTING CIVIL DISORDER - 1983)

THE MISDEMEANOR ARREST PORTION OF THIS LEGISLATION WAS ORIGINALLY A PART OF THE COMMISSION'S PACKAGE. IT ALLOWS ANY TRAINED POLICE OFFICER, SHERIFF, OR DEPUTY SHERIFF IN THE STATE TO MAKE AN ARREST WITHOUT A WARRANT WITHIN THE BOUNDARIES OF HIS OR HER JURISDICTION ON SUSPICION OF A MISDEMEANOR AND FOR ORDINANCE VIOLATIONS. FOR MANY YEARS, ONLY PEACE OFFICERS IN FIRST CLASS CHARTER COUNTIES WHICH HAD MANDATED TRAINING STANDARDS HAD THIS EXTENDED POWER. HOWEVER, WITH THE PASSAGE OF THE MANDATORY STATE-WIDE TRAINING STANDARD WHICH TOOK EFFECT ON JANUARY 1, 1979, PREVIOUS ARGUMENTS AGAINST EXTENDING MISDEMEANOR ARREST POWER WERE NEGATED.

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILLS 149, 286, 374, 401, AND 517  
(MOTOR VEHICLES - 1983)

AS INDICATED BY ITS TITLE, THIS LEGISLATION COMBINED FIVE SEPARATE BILLS DEALING WITH VANPOOLS, DRIVERS' LICENSES, AND SALVAGE DISPOSAL SALES. THE COMMISSION PORTION REQUIRES INSURANCE COMPANIES AND LAW ENFORCEMENT AGENCIES TO SHARE INFORMATION WHICH COULD POINT OUT POSSIBLE FRAUDULENT AUTO THEFT CLAIMS AND CASES OF AUTO THEFT.

HOUSE BILL 279 (STATE APPEALS IN CRIMINAL CASES - 1983)

ESSENTIALLY, THIS BILL GIVES THE STATE THE SAME RIGHTS OF APPEAL IN A CRIMINAL CASE AS THOSE EXTENDED TO THE DEFENDANTS.

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL 337 (ARSON REPORTING STATUTE  
REVISION - 1983)

THIS REVISION TO AN EXISTING STATUTE REQUIRES INSURANCE COMPANIES TO TURN OVER TO APPROPRIATE LAW ENFORCEMENT AGENCIES INFORMATION WHICH CONCERNS FIRE LOSSES, ESPECIALLY INFORMATION INDICATING THAT ARSON MAY BE INVOLVED. IN TURN, LAW ENFORCEMENT AGENCIES CAN PROVIDE FIRE LOSS INFORMATION TO THE INSURANCE COMPANIES, UNLESS DISCLOSURE OF SUCH INFORMATION WOULD JEOPARDIZE A PENDING PROSECUTION.

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE  
BILLS 318 AND 135 (D.W.I. LAW REVISION - 1983)

THIS LEGISLATION WAS BROUGHT BEFORE THE COMMISSION BY THE GOVERNOR'S D.W.I. TASK FORCE AND SUBSEQUENTLY MADE PART OF THE COMMISSION'S PACKAGE. ESSENTIALLY, IT ENHANCES PENALTIES FOR ALCOHOL RELATED DRIVING OFFENSES AND, THROUGH ADMINISTRATIVE PROCEDURE, PROVIDES FOR A FASTER SEPARATION OF THE DRUNK DRIVER FROM HIS LICENSE THAN WAS PREVIOUSLY POSSIBLE.

HOUSE BILL 1226 (ADDITION OF D.W.I. TO THE VICTIM COMPENSATION ACT - 1984)

THIS LEGISLATION ADDED D.W.I. AND VEHICULAR MANSLAUGHTER TO THOSE CRIMES FOR WHICH RELIEF MAY BE GRANTED TO VICTIMS UNDER MISSOURI'S CRIME VICTIMS COMPENSATION ACT.

CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE  
SUBSTITUTE FOR HOUSE BILL 1255 (CRIMES AGAINST CHILDREN -1984)

THIS SUBSTITUTE INCLUDED TWO COMMISSION ENDORSED PROPOSALS REGARDING CHILD PORNOGRAPHY AND JAIL REMOVAL. IT REPRESENTS A COMPREHENSIVE REVISION OF THE CRIMINAL CODE RELATING TO CRIMES AGAINST CHILDREN, TO INCLUDE CHILD ABUSE AND CHILD PORNOGRAPHY, AND ALSO AMENDED STATUTES TO PROHIBIT JUVENILES, PENDING DISPOSITION OF THEIR CASE, FROM BEING HELD IN A JAIL OR OTHER FACILITY USED FOR THE DETENTION OF ADULTS.

HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL 602  
(CRIMINAL PROCEDURES - 1984)

THIS LEGISLATION PROVIDED FOR JOINTLY CHARGED DEFENDANTS TO BE TRIED TOGETHER, THE RIGHT TO A SPEEDY TRIAL FOR BOTH THE DEFENDANT AND THE STATE, AND REDEFINED THE CRIME OF PEACE DISTURBANCE.

HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL  
608, 681 (D.W.I. LEGISLATION -1984)

THIS LEGISLATION CLOSED A 'LOOPHOLE' EXISTING IN THE D.W.I. LAW REVISION ENACTED IN 1983, AND PROVIDED THAT AN ARREST FOR A MUNICIPAL OR COUNTY ALCOHOL-RELATED TRAFFIC OFFENSE MAY BE THE BASIS FOR AN ADMINISTRATIVE SUSPENSION OR REVOCATION OF DRIVING PRIVILEGES.

## LOCAL JAILS

PROBLEM: In recent years, there has been an increase in federal court cases dealing with the operation of local jails. Sheriffs, police chiefs, and then the counties and cities themselves have been held liable for conditions and practices which existed in their local jail which the federal court found to be in violation of the inmates' "constitutional rights." By one estimate, 1300 of the nation's 3500 jails are under court order to meet certain minimum standards. Another estimate claims that as many as 90% of the nation's jails do not meet minimum standards as defined by the courts, and this makes them likely targets for class action suits that prisoners continue to file against local governments already struggling with rising costs and shrinking tax dollars. Missouri is one of only a few states with no minimum jail standards, and the intervention of the federal courts into our own local jails is also occurring with increasing frequency. At the time this problem area was addressed by the Commission, approximately 20 Missouri jails were under court order, involved in a suit, or were closed.

PROGRAM: In order to address this problem which significantly affects the already overburdened local, and ultimately, the state correctional and criminal justice systems, the Commission developed and presented a series of six jail liability seminars. Featuring locally and nationally known experts, they presented a review of court decisions in which local jail policies or facilities were found inadequate, an overview of the condition of Missouri jails, and provided model standards which had successfully withstood court challenges. Not only were law enforcement representatives and jail administrators invited, but council members, county judges, and other local officials responsible for funding decisions affecting jails were invited as well.

PROGRAM PROGRESS TO DATE: A total of 201 officials attended the six seminars, and representation by county is shown on page 26. Concurrent with these efforts, the Missouri Sheriff's Association began work on voluntary jail standards, and the Commission will continue to work with that and other organizations to ensure that uniform standards are adopted and implemented throughout Missouri.

Also, in 1983 members of the Commission testified in support of legislation to allow a county to impose a sales tax on retail sales for any voter approved capital improvement purpose, and at least one county has since taken this course of action to finance construction of a new jail.

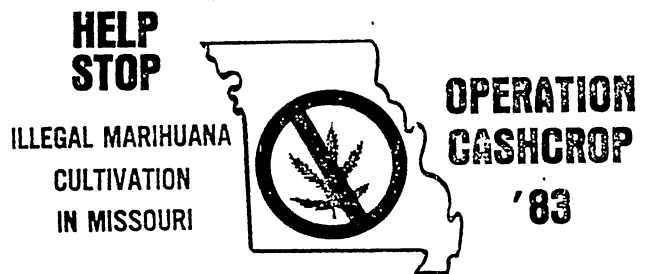
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## MARIJUANA ERADICATION

**PROBLEM:** Approximately 60% of all crime is drug-related, and a substantial percentage of those in Missouri's correctional facilities were drug users at the time they committed the offense leading to their incarceration. Because of its central location, rugged terrain, and many rural airfields and navigable waters, Missouri has become one of the leading states in the cultivation of marijuana, especially of the highly potent and sought after "sinsemilia," or "Ozark Gold".

**PROGRAM:** In 1982, partly as a result of information sharing and cooperation among representatives of state, federal, and local law enforcement serving on the Crime Commission, "Operation Cash Crop" was initiated - a combined, cooperative effort to identify and eradicate marijuana cultivation in Missouri. In 1983, a toll-free hotline (1-800-BAD WEED) was added to the program, and the Director of the Missouri Department of Public Safety, the Superintendent of the Missouri State Highway Patrol, and the Special Agents-In-Charge of the Federal Drug Enforcement Administration's district offices in Missouri held news conferences in Jefferson City, Kansas City, Springfield, and St. Louis to publicize the program and encourage use of the hotline by citizens to report suspected marijuana fields.

**PROGRAM PROGRESS TO DATE:** Results of the program's first three years have been most successful: 736 hotline calls were received; 623 plots or fields were discovered, and an estimated 211,167 pounds of marijuana with a street value in excess of \$118 million were seized and destroyed; 452 arrests were made, and 144 weapons were seized. Because of the success of the program in Missouri, the Drug Enforcement Administration hopes to establish similar programs elsewhere.



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IF YOU KNOW OF SOMEONE GROWING MARIHUANA CALL  
YOUR LOCAL LAW ENFORCEMENT AGENCY.

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OR

**CALL TOLL FREE:**

**1-800-BAD WEED**

CASHCROP 1983 IS A COOPERATIVE LAW ENFORCEMENT EFFORT BY THE CITIZENS OF MISSOURI, THE MISSOURI STATE HIGHWAY PATROL, MISSOURI SHERIFF'S OFFICES, CITY AND COUNTY POLICE DEPARTMENTS, MISSOURI CONSERVATION COMMISSION, U.S. FOREST SERVICE, AND THE DRUG ENFORCEMENT ADMINISTRATION.

## OUTLAW MOTORCYCLE GANGS AND EXTREMIST AND TERRORIST GROUPS

PROBLEM: What was once a problem confined to the east and west coasts has spread to Missouri and the midwest. Outlaw motorcycle gangs have several chapters in our state and are forming associations with organized crime in the major metropolitan areas. While criminal activity and violence remain major characteristics, gang activities are becoming increasingly sophisticated and difficult to investigate.

The headquarters of five nationally recognized extremist groups are located in Missouri, and other such groups have members, chapters, and survivalist training centers here as well. Marching under differing and often deceptive banners of racism, christianity, patriotism, and anarchism, individually and collectively these groups have the potential for creating extensive violence and disorder.

PROGRAM: Because the existence of these organizations is a relatively new phenomenon in Missouri, one of the major detriments to successful intelligence gathering and investigation of their activities by law enforcement was a general lack of knowledge of their characteristics, objectives, and methods of operation. In response, the Commission developed and presented a series of seminars designed to provide this type of information to the criminal justice community.

PROGRAM PROGRESS TO DATE: Three seminars were held in 1984 and were attended by a total of 274 law enforcement personnel. To the first of these, representatives from a seven state area were invited, and many attended, to include the Attorney General of Illinois. Media coverage was extensive and brought the problem to the attention of citizens throughout Missouri. It also brought an angry response from the members of several of the organizations whose activities were focused upon in the programs. As a result of both the programs' publicity and attendance, Missouri is now generally recognized as a leader in the midwest in understanding and tracking the deviant behavior of these groups, and several other states have asked our assistance in this regard.

It should also be noted that, prior to the development of this specific program, in 1983 Crime Commission members testified in support of legislation to ban the "promotion of civil disorder" through training individuals in the use of firearms and explosives - a major characteristic of extremist and terrorist groups. A year later, when a member of a survivalist organization shot and killed an Arkansas state trooper, literature was found in the killer's van which referred to this law and cautioned members to be particularly careful while passing through or operating in Missouri.

## PUBLIC INFORMATION

PROBLEM: A lack of two-way communication between the criminal justice community and the citizens which it serves has been a problem of long-standing. For many years, the attitude of law enforcement had been: "We are the professionals in fighting crime and can do it alone." And while this may be true in the technical sense, the philosophy embodied in that statement is neither appropriate nor feasible. The criminal justice community must have the active support and involvement of citizens to successfully carry out its programs.

PROGRAM DESCRIPTION: A program to involve and inform the public was established the day the Commission was formed, and has been and will continue to be a characteristic of all its endeavors. News releases are prepared and distributed and news conferences are held for all Commission meetings and programs - even those directed toward a specific component of law enforcement. For while the citizen may not be interested in attending a "jail liability" seminar, he or she should still be made aware of the fact a problem does exist in that area which can affect the entire system and that a solution is being sought. In addition, many of the Commission's programs such as "crime and the elderly" and the crime prevention "rallies" are designed for presentation in a public meeting atmosphere, and direct public comment is solicited and recorded at these for subsequent reference and use. Another aspect of informing and seeking information from the public has been through the writing and recording by Commissioners of radio and television public service announcements which are then distributed in the geographical area in which the Commissioner who recorded it resides. Essentially, each announcement contains a crime prevention tip, makes the viewer or listener aware that a Commissioner lives in their area, and provides the address of the Crime Commission where additional information may be obtained. Finally, the Commission developed and has presented a "Law Enforcement Media Relations Seminar" for law enforcement executives. Taught by members of the media, the agenda includes technical advice in preparing news releases and in handling oneself in interviews, and provides for role-playing in a wide range of public information situations. The objective is to lessen the adversarial relationship between media and law enforcement, and show law enforcement how the media can be utilized to promote its programs and involve citizens.

PROGRAM PROGRESS TO DATE: Based upon the publicity and media coverage generated by the news releases, interviews, and public service announcements, this program has been highly successful. Three "Law Enforcement Media Relations" seminars have been held to date, and were attended by 94 representatives of law enforcement. And, in response to requests, several more have been scheduled in the near future.

## SPECIAL SUBCOMMITTEE ON THE CRIMINAL JUSTICE SYSTEM

PROBLEM: At present, Missouri state correctional facilities are seriously overcrowded, and projections of the growth in the inmate population through 1994 suggests that, at that time, the total will be in excess of 12,000, or approximately 4,000 more than are presently incarcerated.

The costs to build, maintain, and operate a correctional facility are high. The American Corrections Association estimates it costs between 50 and 60 million dollars to construct a 500 bed medium/maximum security facility, and another 7 to 8 million dollars annually to staff and operate it. Additionally, estimates are that it takes five years from the time a contract is let to build a new facility.

Despite population growth estimates and time and funding constraints, it is obvious that the State of Missouri must operate a prison system adequate to meet its needs and in accordance with the minimum standards which will preclude federal intervention and standard-setting.

PROGRAM: While Governor Bond continued to address this issue through other initiatives, he also directed the Crime Commission to examine the state's entire criminal justice system, with special emphasis on corrections and probation and parole, and provide him with recommendations for resolving Missouri's prison overcrowding problem while also insuring the public's safety. In response, the Special Sub-Committee on the Criminal Justice System, consisting of Commissioners representing all components of the criminal justice system, was established.

PROGRAM PROGRESS TO DATE: The Special Subcommittee held several meetings to research and review the problem and then conducted three public hearings in which testimony was presented by representatives of the different components of the criminal justice system. From these activities, major problem areas and suggested solutions were identified, and these are contained in the Special Subcommittee Report which is attached as Addendum 3 to this report.

## VICTIM ASSISTANCE

PROBLEM: According to an ABC News poll, 20% of all Americans were direct victims of crime in 1981; and, while billions of dollars are spent each year to identify, apprehend, prosecute, incarcerate, and rehabilitate offenders, very few resources are devoted to assisting the innocent victims, many of whom are treated like evidence rather than as individuals. In 1981, the Missouri General Assembly passed the Victim Compensation and Service Act, and Missouri joined 36 other states in recognizing the often severe financial impact upon victims who incur uninsured medical expenses or loss of income as a result of crime. While this represented a very positive beginning, much more must be done in focusing the public's attention on the plight of the victim, in supporting and implementing victim service programs, especially in those areas of the state where crime victims do not have access to counseling and other services to heal the emotional scars which can remain long after the physical and financial wounds have healed.

PROGRAM: To address these issues, the Commission has concentrated its efforts in three areas: informational, legislative, and, in assisting in the development of victim assistance programs. A review of claims against the Victim Compensation Fund showed that most claims were being submitted by victims in major metropolitan areas having active victim advocacy groups, and few claims were received from out-state Missouri. In response, the Commission developed and implemented an awareness program to publicize existence of the Fund and the procedures for submitting claims. In the area of victim rights, the Commission has included in its annual legislative package bills which are oriented toward the victim, and has testified in support of these and similar proposals. And, finally, the Commission has worked with victim assistance organizations throughout the state in an effort to expand existing programs and implement new ones.

PROGRAM PROGRESS TO DATE: Featuring the Attorney General, the Director of the Missouri Department of Public Safety, and local law enforcement leaders, awareness programs were held in Jefferson City, Cape Girardeau, Springfield, Joplin and St. Joseph. News releases were distributed statewide, and local officials, victims' advocates, and representatives of the media attended. At the same time, the Attorney General recorded public service announcements regarding the Compensation Fund, and copies were distributed for play to electronic media throughout Missouri. Concurrent with these efforts, the Commission printed and distributed 10,000 cards to law enforcement authorities which described the Compensation Fund and procedures for submitting claims. As a result, both the Attorney General's Office and the Department of Public Safety have noted an increase in calls regarding the Fund, and the Missouri Division of Workers' Compensation, which administers the Fund, has indicated there is an increase in claims from outside Missouri's major metropolitan areas. In addition to these awareness efforts, the Commission has had issued for each of the past three years a Governor's Proclamation recognizing "Victims' Rights Week" in Missouri.

With regard to legislation, several key commission-endorsed proposals have been successful. Witnesses are often also the victims, and in 1983 the Legislature enacted provisions which established the crime of witness tampering, provided for videotape depositions of witnesses, and allowed the Department of Public Safety to provide for the protection of witnesses where a clear and present danger to them

exists. Also, in 1984, legislation was passed to enable the victims of drunken drivers - one of the most senseless and violent of all crimes - to submit claims to the Compensation Fund.

In the third area, the Crime Commission sponsored a statewide "Victim Assistance" seminar in 1984, which was attended by 53 criminal justice representatives and citizens who were either involved or wished to become involved in victim assistance programs. The purpose of the seminar was two-fold: first, to announce the recently funded program within the Department of Public Safety to provide funds to assist local agencies in establishing services to victims of crime; and second, to provide instruction in establishing or expanding such assistance programs. The seminar was very successful, and it is anticipated that it will become an annual event. At present, the Commission is also working with the National Organization for Victim Assistance (NOVA) and local victim service agencies to develop a statewide "Victim Assistance Network."

## OTHER COMMISSION-RELATED PROGRAMS

In addition to specific programs outlined on the previous pages, the Commission is also associated with other programs in which continuing or future involvement is likely.

CRIMINAL JUSTICE SYSTEM INFORMATION: In order to effectively allocate resources to combat crime, improved criminal justice data reporting and better analysis and use of this data are required by all components of the criminal justice system. Not only do victims often not report crime, but criminal justice agencies as well do not all report crime or the disposition of criminal cases. To address this problem, the Crime Commission has worked closely with the Missouri State Highway Patrol and other state and local officials to develop a comprehensive, statewide system for crime reporting, and a bill to require reporting by criminal justice agencies continues to be included in the Commission's legislative package. Also, the Commission endorsed the development of a Statistical Analysis Center (SAC) which was subsequently established in the Missouri Department of Public Safety. Responsible for making statistical information and research services available to Missouri criminal justice and traffic safety agencies, the SAC has developed a research library, issued reports, and provided technical assistance on numerous occasions in support of proposed legislation and other criminal justice related programs. The "Missouri Crime Clock" and other data in this report were developed and furnished by the Statistical Analysis Center.

DIVERSION OF PRESCRIPTION DRUGS: In Missouri, as elsewhere, the illegal diversion of prescription drugs is a significant problem. Far more people die or are admitted to hospital emergency rooms as a result of prescription drug overdose than from abuse of the contraband drugs with which law enforcement is most concerned. For the addict, prescription drugs are the drugs of choice, and there is enormous profit to be made from them. A four milligram tablet of Dilaudid, which can be obtained by prescription from a pharmacy for twenty-nine cents, retails on Missouri's "streets" for up to fifty dollars. In an effort to address this problem, the Crime Commission has co-sponsored two statewide conferences with the "Missouri Task Force on the Misuse, Abuse, and Diversion of Prescription Drugs." The first of these focused upon bringing the problem to the attention of the health care professionals, and the second conference, held in November 1984, brought health care and law enforcement together for the first time to jointly address the problem and discuss strategies for solution. Attended by over 90 people, this second conference was highly successful and established the basis for subsequent cooperation and programs.

DRIVING WHILE INTOXICATED: In 1982, a Crime Commission survey was sent to those who had attended the Commission sponsored crime prevention training. One of the questions asked was which types of crime were most prevalent in their areas, and 51% of those responding indicated that D.W.I. was a significant problem. It is, of course, one of the most violent and senseless of all crimes, and the Commission subsequently recommended and endorsed the formation of a "Governor's Task Force on D.W.I." which was established in late 1982. The Task Force Chairman is a member of the Crime Commission, and because of this and the Commission's interest in this tragic problem, it continues to be involved in supporting and lobbying for D.W.I.

related legislation, and in actively supporting or co-sponsoring D.W.I. related education, training, and enforcement. In all these activities, the Commission has worked closely with the Task Force and state and local criminal justice and volunteer agencies in an effort to reduce those statistics which indicate that at least 55% of Missouri's fatal traffic accidents are alcohol-related.

JUVENILE JUSTICE: In Missouri and elsewhere, the problems relating to the juvenile justice system are compounded by the lack of resources to deal effectively with the delinquent youth, the status offender, and the abused or neglected child. Shortly after the Commission was formed, it endorsed a second-year grant request from the Missouri Department of Public Safety to continue and to implement on a statewide basis The Missouri School Crime Prevention Program. Essentially, this program had, in the first year of its existence, developed a law and crime prevention related curriculum for presentation in grades 1 through 12, and had introduced it into three Kansas City area school districts. Although the administrators, teachers, and students of these districts actively supported the program, second-year federal funding was not received and further expansion was not possible. Despite this, the basic program design and curriculum are available and can be used or modified for use in subsequent, related efforts. The Commission continues to work for legislation relating to the improvement of the juvenile justice system and, to further involve the Commission in these matters, the Chairman of the State Advisory Group for Juvenile Justice and Delinquency Prevention was made a member of the Commission.

MISSOURI CRIMINAL APPREHENSION PROGRAM (MOCAP): During the last several years, the manpower and other resources available to police and sheriffs' departments have, in many instances, declined or have remained the same despite increasing demands. However, in those agencies where proper management techniques were applied to the functions of data collection, analysis, and planning, the effectiveness and efficiency of service to the public has improved. Utilizing the experience of Commissioners and Missouri law enforcement personnel who had participated in the previously funded LEAA Integrated Criminal Apprehension Program (IACP), the Commission established a MOCAP sub-committee to work with local law enforcement in implementing improved management techniques. To date, the subcommittee has developed and sent formal assessment surveys to over 40 potential participants, has selected the 10 agencies for initial participation, and is presently developing the program training schedule and curriculum. Once this initial training phase is completed, additional departments will be selected for participation.

## CLOSING

The conditions and incentives for crime did not develop overnight, and neither will they disappear overnight, regardless of the effectiveness of the solutions applied to them. However, immediate successes of most Commission programs are reflected in program attendance data, the support and involvement of media in informing the public, and by the number of requests received for technical assistance, referrals, and publications. By these measurements, and by continued reinforcement of the Commission's existence and purpose, it is felt that Commission programs have had a favorable impact and will be successful in the long-term.

"TOGETHER, WE CAN MAKE A DIFFERENCE"

GOVERNOR'S CRIME COMMISSION

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## ADDENDUMS

BOATING SAFETY TASK FORCE

Addendum 1

GOVERNOR'S COMMISSION ON CRIME  
RECOMMENDATIONS OF THE BOATING SAFETY TASK FORCE

BACKGROUND: Each year, an increasing number of Missouri water enthusiasts and out-of-state visitors are attracted to our 700,000 acres of recreational waters and over 2,000 miles of navigable streams. There are approximately 307,000 boats registered in Missouri (not including canoes, small sailboats, and similar unpowered craft), and the Department of Public Safety's Division of Water Safety and the U.S. Army Corps of Engineers estimate that, in 1983, over 31,000,000 boaters, fishermen, skiers and swimmers enjoyed Missouri waters. Tourism is Missouri's second largest industry, and, of the \$4.5 billion dollars spent for that purpose in 1983, 46% or \$2.1 billion dollars were spent in south central Missouri and southwest Missouri, those areas where recreational waters are the predominant attraction.

PROBLEM: While the great majority of boaters and other water enthusiasts behave responsibly and are considerate of the rights of others, there are those who are not. Compared to 1983, the number of boating accidents this year is up, and the number of complaints - predominately lodged against careless boaters - has increased substantially. Of the ten fatalities from boating accidents so far this year, over half were alcohol-related, and the Department of Public Safety's State Water Patrol estimates that, in 70 to 80% of all boating accidents, alcohol is a major contributing factor. As usage of Missouri's recreational waters increases, we can expect the problem to intensify to the point that the potential danger posed by the irresponsible boater will deter others from enjoying what is now one of the major attractions in the midwest.

Effective regulation of safe boating, by the nature of its environment, is difficult. There are no speed limits and no center lines for boaters to follow; boat accidents do not leave skid marks and often cannot be fixed by specific location; there are often few witnesses, and evidence of alcohol or other drugs often sinks to the bottom or is thrown overboard before law enforcement arrives on the scene. Communications among law enforcement and stranded boaters is often difficult, and the investigative tools are not available as they are in automobile accidents. Present Missouri boating laws are often general and difficult to enforce, and violations such as intoxication are difficult to prove on the water. Few, if

any, sanctions or enhanced penalties are available to law enforcement if the boater refuses a breathalyzer test, and there is no license to revoke upon conviction.

Adding to these difficulties, the minimum age limit for operating a motorboat in the State of Missouri is 12 years of age, and those under 12 can operate one in the on-board presence of a person 16 years of age or older. And while alcohol or drug usage should not be a factor in accidents involving the youthful power boat operator, his/her inexperience at the helm could make accident avoidance with a boat having an intoxicated operator more difficult.

Finally, there is a need to upgrade the Missouri Department of Public Safety's State Water Patrol, not only in terms of authority, but in terms of numbers and equipment. Several years ago, 61 water patrolmen were authorized. Today, only 51 are authorized, a decrease of 17%, while the number of boaters and the number of acres of water to be patrolled have increased substantially.

DISCUSSION: In response to the increased evidence of alcohol abuse on Missouri's recreational waters, its tragic consequences, and related water safety issues, in August 1984 Governor Bond directed the Crime Commission to establish a Task Force on Boating Safety to review these problem areas and to report back to him on November 1st with recommended courses of action. This Task Force, consisting of five Crime Commissioners and 12 citizens representing Missouri's recreational water users and the tourist, beverage, real estate, and insurance industries, was officially established on September 17, 1984. Since that time, the Task Force has met to research these issues, review legislation enacted in other states, and has taken testimony from those who have experienced first hand the tragic consequences of the alcohol-impaired boat operator. Following are the recommendations of the Boating Safety Task Force.

#### TASK FORCE RECOMMENDATIONS

- A. That the activities of the Boating Safety Task Force be extended until such time that it is able to thoroughly review other issues which impact upon boating safety in Missouri. While the other recommendations contained herein will address - through proposed legislation - the significant problem of the alcohol-impaired operator, and - through additional manpower - will enhance the ability of the Water Patrol to consistently and effectively enforce safe boating throughout Missouri, there are still several issues to be addressed. These include the minimum age for operating a motorboat, the impact of drugs other than alcohol, reciprocal agreements with other states regarding suspension or revocation of an operator's permit, and "safety responsibility" issues.

- B. That legislation be enacted which: (1) Establishes a .10 B.A.C. level as the basis for conviction for operating a boat while intoxicated, with the following penalties:

First Conviction: Class B Misdemeanor, to include a 90-day suspension of the individual's motor vehicle operator's permit, 60 days of which may be approved for limited driving privileges if required for employment or to attend an approved rehabilitation course.

Second Conviction, within five years: Class A Misdemeanor, to include revocation of the individual's motor vehicle operator's permit for one year.

Third Conviction, within five years: Class D Felony, to include revocation of the individual's motor vehicle operator's permit for one year. However, if a serious injury or death to another person is involved, it shall be a Class C Felony, regardless whether it is an initial or subsequent offense (Note: these penalties are essentially the same as those for D.W.I.).

(2) Allows for a one-year revocation of an individual's vehicle operator's permit if he or she refuses a breathalyzer test.

(3) Provides medical personnel the authority to withdraw blood from an individual if requested to do so by a Water Patrol officer.

(4) Provides Water Patrolmen with the authority, upon probable cause, to board a boat at night.

(5) Provides Water Patrolmen with the authority, upon probable cause, to arrest on suspicion of a misdemeanor not committed within their presence.

- C. That the number of authorized Water Safety officers be increased to 126 (from the presently authorized 51) over a four-year period, beginning with an additional 30 officers in FY'86, and 15 per year in fiscal years '87, '88, and '89. Salary, training, equipment, and operating costs to add one officer are estimated to be \$54,967 for the first year, and \$31,603 for salary and operating expenses for each of the next four years, at which time new replacement equipment totalling \$28,058 would have to be purchased. For the first four years, costs are estimated to be:

Fiscal Year	86	87	88	89
Officers: 30	\$1,649,008	\$ 948,084	\$ 948,084	\$ 948,084
15		824,504	474,042	474,042
15			824,504	474,042
15				824,504
TOTAL	\$1,649,008	\$1,772,588	\$2,246,630	\$2,720,672

Attached as an enclosure is a summary sheet showing the present utilization of authorized personnel, and the proposed utilization of additional personnel.

D. That Water Safety officers be granted a salary repositioning in order to bring salaries in line with those recommended by the Missouri Advisory Commission on State Government Recruitment, Retention, and Compensation. For a 12-month period ending in March, 1984, the turnover rate for the entry level Water Safety Officer I was 26.9%. The cost for repositioning presently authorized personnel totals \$261,120. For new officers recommended in C., above, a starting salary of \$20,928 has been included (present salary: \$16,284).

E. That the present fee of \$5 for a three-year period for all classes of motorboats be changed as follows:

Class A Motorboats (less than 16 feet): \$15 every three years.

Class I Motorboats (16 feet but less than 26 feet): \$30 every three years.

Class II Motorboats (26 feet but less than 40 feet): \$45 every three years.

Class III Motorboats (40 feet and over): \$75 every three years.

And that the fee for new motors be increased from \$2 to \$5. These revisions will produce approximately \$4,345,388 in additional revenue every three years, and help offset the increased costs of Recommendations C and D.

LOCATION	SIZE	WATER SAFETY OFFICERS PRESENTLY AUTHORIZED (FY 85)	RECOMMENDED INCREASES				TOT.
			FY 86	FY 87	FY 88	FY 89	
Lake of the Ozarks	55,000 acres	11	6	5	4	1	27
Truman Lake	55,000 acres	7	3	1	2		13
Table Rock Lake	42,000 acres	8	2		2	1	13
Stockton Lake	25,000 acres	2	1			1	4
Pomme De Terre Lake	8,000 acres	2		1			3
Cannon or Mark Twain Lake	18,600 acres	2	1		1		4
Bullshoals and Norfork	11,980 acres	2	1	1	1		5
Smithville Lake	7,670 acres	2	1	1			4
Wappapello Lake	5,700 acres	2	1			1	4
Thomas Hill and Long Branch	6,800 acres	1				1	2
Clearwater Lake	1,700 acres	1					1
Taneycomo Lake	1,700 acres	1	1			1	3
Longview/Blue Springs Lakes	1,490 acres		1		1	1	3
Mississippi - St. Louis to Iowa		5	1	2		1	9
Mississippi - St. Louis to Arkansas			1	1			2
Meramec River		2	1	1			4
Current River		1				1	2
Gasconade River			1		1		2
Eleven Point River			1				1
Black River			1				1
St. Francois River							
Osage River					1	1	2
Norfork River				1			1
Bryant River							
Elk River			1				1
Missouri River			3		1	4	8
James River				1			1
Big and Little Piney			1			1	2
Courtois, Huzzah Rivers			1				1
Jefferson City		2			1		3
			30	15	15	15	126

CRIME AND THE ELDERLY

Addendum 2

## GOVERNOR'S COMMISSION ON CRIME

### CRIME AND THE ELDERLY

BACKGROUND: When Governor Christopher S. Bond established the Governor's Commission on Crime in June, 1981, and asked Attorney General John Ashcroft to serve as its chairman, he charged the Commission with the development of effective, efficient programs to combat crime. Among those priority areas assigned to the Commission at that time was the problem of crime as it affected the elderly.

PROBLEM: The percentage of Missouri's population which is 60 years of age or older is among the highest in the country and, both in Missouri and the nation, this percentage is increasing. While statistics do show that, as a group, those aged 60 or older are less likely to be actual victims of crimes, to the senior citizen who is a victim, such statistics provide little comfort.

Surveys show that, as people grow older, their fear of crime increases. Contributing to this fear is that many of the elderly are on fixed, limited incomes and can not always recover from a crime involving loss of funds or property. Another factor is that, because of their age, their bodies do not recover as easily from an assault or other crime involving violence. As a result of this increased fear, many elderly restrict their lives in ways that reduce their chances of being victimized - at the same time, significantly reducing their quality of life. For those who have spent much of their life working toward a comfortable retirement, and who are also responsible for many of the benefits which younger Missourians share today, this is clearly unacceptable.

DISCUSSION: In response to the Governor's charge, the Attorney General and members of the Commission reviewed the problem and available research and conducted a series of public hearings in which testimony was presented by representatives of the criminal justice system, agencies providing services to the elderly, and by senior citizens who were, themselves, victims of crime. Each speaker addressed the problem of crime and the elderly from his or her perspective and suggested courses of action for the Commission's consideration. A total of 325 citizens and criminal justice professionals attended the four

hearings, and heard testimony from 41 presenters, 17 of whom were elderly victims.

The hearings were invaluable, for while the Commissioners and the criminal justice professionals who attended were aware of the problem, they left with an understanding of the problem which many had not previously had.

The fear of crime and its impact upon the activities of the elderly was clearly brought out through the testimony of victims. While the published reports of older Missourians who have permitted themselves to die from exceptionally hot or cold temperatures rather than leave the safety of their dwellings are extreme examples of this fear, the testimony of victims emphasized their own hesitancy to resume normal activities following a crime or even the threat of a crime.

Testimony also showed that fear, in many cases, prevents the elderly victim from reporting crime. For while one attitudinal study has shown that 88% of older persons felt the police have one of the most difficult jobs in our society, and 74% felt they could always turn to the police for help regardless of the problem, the fear of reprisal from the criminal often prevents this.

Despite this apparent paradox of faith in law enforcement, yet a reluctance to report to law enforcement, the elderly definitely want to be involved in resolving their own problems regarding crime. The testimony of the elderly confirmed this, as have other programs sponsored by the Commission. The number of senior citizens among the over 7,000 Missourians who have attended Commission sponsored crime prevention training and awareness programs in the past three years has far exceeded their proportion of the general population. And while the fear of crime may be one factor prompting attendance, the fact that they have overcome this fear in order to be involved in the fight against crime is irrefutable - as is the fact that many of the most successful "Neighborhood Watch" programs in Missouri rely heavily upon the willingness of the senior citizen to be involved.

Two other points were also brought out during the hearings. First, because of their often restricted lifestyle, timely communication with the elderly is often difficult, and, despite newspaper articles or other media reports, they are often unaware of winterization or home repair frauds currently making the rounds within their particular community. And second, there is a definite need for law enforcement and the providers of service to the elderly to be more aware of what each other does and to better share information and coordinate resources toward their mutual goal of improving the quality of life of Missouri's senior citizens.

With this discussion as a background, the following is a summary of recommendations from the hearing presentations.

#### RECOMMENDATIONS FROM HEARINGS

- A. Develop and expand neighborhood watch programs emphasizing active involvement of the elderly (many are home during the day, and want to be actively involved).
- B. Develop programs and networks to create a better working relationship among police, the elderly, and those who provide services to the elderly.
- C. Develop, within police departments, officers who are specially trained in working with an assisting the elderly and are aware of both the special problems of the elderly and the local community agencies who can provide assistance (the police are most often the first in contact with an elderly victim).
- D. Have police carry cards they can give to elderly victims which list local community service, victims' assistance, mental health, and other agencies which provide services to the elderly.
- E. Provide special training on problems of the elderly to mental health and other social workers to whom they may be referred.
- F. Provide volunteer escort or transportation services, or improve security on public transportation, using citizen patrols, or plainclothes personnel.
- G. Increase the number of neighborhood merchants honoring the Missouri Silver Citizens' Discount Cards, to reduce the distance the elderly have to travel to shop.
- H. Develop a massive educational campaign to inform all elements of the criminal justice system about the special problems of the elderly.
- I. Improve methods of informing the elderly about services available, as well as tips regarding con games, consumer and insurance fraud, personal protection (many live alone or are otherwise isolated and it is difficult to get the word to them).
- J. Have police develop a response system which gives priority to the elderly victim.
- K. Develop a system where elderly victims/witnesses have priority in court; try to have speedy trials where elderly victims/witnesses are involved.
- L. Provide a source of funding to assist the elderly victim or witness with meal, travel, or parking expenses while in court.
- M. Involve senior citizens in victim assistance programs so they can work with elderly victims.
- N. Make home security surveys a part of the winterization, health or other surveys or visits to the residents of the elderly.
- O. In addition to neighborhood watch, implement home security surveys and property marking programs.

- P. Develop funding sources to assist low-income elderly in obtaining home security devices (home security surveys are good, but not effective if the senior citizen can't afford a deadbolt lock or a window lock). Also involve senior volunteers, such as a retired carpenter or locksmith, to install these devices.
- Q. Develop or change the present Victims Compensation Fund so a low-income elderly victim demonstrating need could receive some reimbursement for financial loss (even a \$250 payment would enable a low or fixed income senior citizen to exist and not fall so far behind on rent, et cetera). Or, provide a small payment from the fund or some other source to assist an elderly victim in installing home security devices (while "after-the-fact," this could help alleviate the insecurity and fear of again becoming a victim).
- R. Provide for mandatory restitution to elderly victims by the criminal.
- S. Enhance the penalties of those convicted of crimes against the elderly.
- T. Make the taping of the testimony of the elderly victim/witness a required part of the process to lessen the prospect of intimidation.

After consideration of the above recommendations; the following are respectfully submitted as Governor's Commission on Crime recommendations.

- 1. The Governor's Commission on Crime, through the Department of Public Safety, should continue to act as the state's crime prevention center, and in the role enhance its capability as a catalyst for local efforts. Especially as it relates to senior citizen's needs. Emphasis should be on expanding local neighborhood watch programs, improving crime prevention communication to the older citizens, and, in addition, expand and publicize local government capabilities to do home security surveys and property marking programs.
- 2. Develop programs and networks to create a better working relationship among the police, the elderly, and those who provide services to the elderly. Special training should be given to enhance the creation of Elderly Specialists within service agencies.
- 3. Develop a special Senior Citizen Victim Assistance Model for use within service agencies, with special attention being given to the funding of minor repairs that result from a crime and are necessary for safety, and funding for all out-of-pocket expenses related to court visits.
- 4. Develop, through the private sector, funding sources to assist low-income elderly to obtain home security devices. In addition, organize at the local level senior volunteers to install these devices.
- 5. Develop and/or support legislation which enhances the criminal penalties imposed in cases of crimes against the elderly.

6. Develop or change the present Victims Compensation Fund so a low-income elderly victim demonstrating need could receive some reimbursement for financial loss (even a \$250 payment would enable a low or fixed income senior citizen to exist and not fall so far behind on rent, et cetera). Or, provide a small payment from the fund or some other source to assist an elderly victim in installing home security devices (while "after-the-fact," this could help alleviate the insecurity and fear of again becoming a victim).

SPECIAL SUBCOMMITTEE ON THE CRIMINAL JUSTICE SYSTEM

Addendum 3

GOVERNOR'S COMMISSION ON CRIME  
PUBLIC HEARINGS  
SPECIAL SUB-COMMITTEE ON THE CRIMINAL JUSTICE SYSTEM

INTRODUCTION

The Governor's Commission on Crime Special Sub-Committee on the Criminal Justice System conducted three public hearings. The public hearings were held on October 5th in St. Louis, on October 10th in Kansas City, and on October 12th in Jefferson City. The purpose of the public hearings was to solicit comments from experts within the criminal justice system in an effort to identify how the system currently operates and determine what can be changed to ensure the most efficient and effective use of correctional facilities and programs. This report is a summary of the major problems and suggested approaches to alleviating those problems. Actual transcripts for the public hearings will be available at a later date.

PROBLEMS AND SUGGESTIONS

One problem alluded to at each of the meetings was the inability of the criminal justice system to identify, apprehend, and incapacitate the career criminal. Statistics indicate approximately 20 percent of the criminals commit 80 percent of the crimes. Yet this 20 percent of the criminal element appears to be able to manipulate the system and avoid apprehension and/or prosecution.

These types of criminals are able to accomplish this because of their knowledge of the criminal justice system and how it functions. Even if they are apprehended, most usually spend a minimum of time incarcerated. The career criminal knows how to use the bail system and appeal bonds to minimize incarceration or to flee to avoid commitment. Those who are imprisoned become model inmates because they know their institutional conduct will earn them early release.

The public hearings provided the Special Sub-Committee with several suggestions on ways to alleviate the loopholes in the criminal justice system used by the career criminal to avoid apprehension, prosecution and incarceration. To implement such recommendations would require a total re-thinking of the State's approach to the criminal justice system.

As a beginning point, the State should analyze the primary goal of its criminal justice system. Thought should be given to statutorily stating this goal with an admonition to law enforcement officials, prosecuting attorneys, judges, and corrections officials to use this statutory statement as a decision making guide. This Special Sub-Committee is considering establishing a primary goal of incapacitation of the offender to protect the community while using that incapacitation to deter potential offenders. This focus would still recognize the fact that some offenders can be rehabilitated but also recognizes that effective rehabilitation cannot be imposed but rather must come from within, as a result of an offender's sincere desire to reform. Therefore, rehabilitation programs will be available to offenders, but rehabilitation will not be the primary goal of the system.

There were other more specific suggestions made at the public hearings regarding ways to change the system to deal more effectively with career criminals. One such suggestion was the modification of the State's exclusionary rule to coincide with the new Federal exclusionary rule. This revision would close loopholes that disallow the submission of evidence as a result of a legal technicality and make it easier to get a conviction.

Another problem area cited in the testimony was the abuse of the bail and bond system. Typically the career criminal pays his bail or bond by committing additional crimes, because he does not have any other source of income. It was suggested that bail should be deniable for danger to the community or propensity to commit more crime as well as flee. It was further recommended that convicted offenders should begin to serve their sentence while their case is being appealed and do away with the appeal bond. Justification for this change, according to the testimony, is provided by the number of crimes committed by people out on bond, as well as the number that flee to avoid incarceration.

There also appears to be a need for the development of a comprehensive criminal justice information system to allow offenders to be traced through the system, as well as to collect and analyze criminal justice data for research purposes. Without timely, complete information on offenders, it would be very difficult to make an appropriate decision pertaining to the denial of bail/bond. It would also be difficult to evaluate the impact of changes in the system without the access to complete criminal justice data.

The development of a comprehensive information system would require the assessment of the need for information from juvenile records that currently may or may not be protected by confidentiality laws. In fact, some of the testimony recommended lowering the juvenile age from 16 to 15.

Along with the need for more complete formal information, the testimony suggested a lack of communication existed between the various components of the criminal justice system. Presenters indicated that procedures needed to be implemented to encourage or even require the flow of information between law enforcement officials, prosecutors, judges, and corrections officials.

The expansion of witness protection programs was listed as a methodology for enhancing the prosecution of serious chronic offenders. The all too common practice of intimidating witnesses cannot or should not be allowed to happen. Too many convictions have been lost as a result of the system's inability to insure protection for witnesses.

It was suggested that a pre-sentence hearing be available upon request of the prosecuting attorney, the law enforcement official who apprehended the defendant, or an officer from the jurisdiction where the offense occurred, the victim or victims, the judge, or the defendant. This pre-sentence hearing would allow any of the aforementioned individuals to comment on the contents and suppositions made in the pre-sentence investigation report. This would ensure all possible factors and circumstances were examined and considered in the determination of the length of the sentence to be served by the defendant.

The use of conditional release was criticized by those testifying at the public hearings. Instead of conditional release, the implementation of a restricted system of "Good Time Credit" was proposed. The "Good Time Credit" statute should clearly indicate that good-time is a privilege, not a right, to be taken at the discretion of the Department of Corrections. The good-time credit program should be supervised by Probation and Parole. Good-time credit would be unavailable to "no parole" offenders, sociopathic and career criminal personalities.

The use of mandatory restoration and restitution for property crimes through legitimate work by the offender was another idea presented to the Special Subcommittee. The restoration or restitution would have to be completed prior to the completion of the sentence. This provides authorities with additional leverage to see restoration and/or restitution to the victim or victims is completed. Another proposed deterrent was the establishment of a civil forfeiture law for criminals with property but no tax returns similar to the one the Internal Revenue Service currently utilizes.

The problems and suggestions to this point have dealt with the system up to the point of commitment to the Department of Corrections and Human Resources. These suggested changes are intended to improve the utilization of DCHR by targeting the 20 percent of the criminal population that commits 80 percent of the crimes for incarceration. If the system can be refined to accomplish this goal, then it will simplify the task of designing a comprehensive correctional program. This comprehensive corrections program would provide adequate cell space for each

level of security as well as rehabilitation programs and alternatives to confinement to reduce cost and divert the less serious and persistent offender from imprisonment.

Again, the public hearings provided the Special Sub-Committee with an overview of problems and possible approaches to addressing those problems. The biggest and most complicated issue confronting the State's correctional system is the problem of overcrowding.

Obviously, bricks and mortar alone is not a cost effective solution to the problem. The average cost of constructing a secure facility is estimated to be about \$72,000.00 per bed, and the daily operational cost is estimated to be as much as \$30,000.00 per inmate per year in some states, according to a report entitled "Overcrowded Time" published by the Edna McConnell Clark Foundation.

It is no surprise that the first recommendation was to increase the resources allocated by the State for operation of the programs and facilities of the Department of Corrections and Human Resources. This recommendation is based on statistics that show Missouri ranks 18th in prison population and 47th in the amount of funds expended for corrections.

The refinement of a correctional classification system to identify inmates who can safely be placed in less restrictive, and therefore less expensive, correctional programs/facilities should be continued. Not only would this be less costly, it would also free cell space for more dangerous/persistent offenders.

Once DCHR is able to classify and determine the appropriate correctional facility/ program placement, there must be alternative programs available. Therefore, it was suggested there be an expansion of community based corrections programs to divert the less dangerous and persistent offender from imprisonment.

It was also proposed that the tremendous cost of correctional programs could be reduced through effective use of inmate work programs and the expansion of prison industries. The use of inmate work programs could provide a cost effective methodology to provide services within institutions such as laundry, food service, janitorial, and other maintenance services. Expansion of prison industries could also be utilized to generate funds to offset the cost of operating correctional institutions and programs. The prison industry program would be operated in such a manner as to not be in competition with private enterprise.

These programs would provide valuable job skills to inmates as well as generate revenue for DCHR to offset the cost of operation. To further enhance their employability once released, it was recommended that resources be provided to allow Probation and Parole to develop and/or expand their job training and employment programs. According to testimony, employment plays a key role in reducing the recidivism rate of offenders. Those probationers and parolees that are able to find and keep a job are less likely to commit crimes.

Testimony was also presented that encouraged the involvement of the private sector in efforts to develop prison industries and job skills and employment programs. The concept of a public private sector partnership has proven successful in other

states and appears to have several advantages over a State operated program .

## SUMMARY

The public hearings conducted by the Special Sub-Committee serve as only a beginning point for efforts to modify the criminal justice system and to improve the interrelationships between its various components to allow the entire system to function together . By functioning together with a common goal, the criminal justice system can begin to manage the flow of criminals into the corrections system and the corrections component can begin to incapacitate the dangerous and career type offender and develop and provide more appropriate correctional sanctions for the less dangerous and less persistent criminal.

Such an effort is a monumental task and will require an extensive amount of research and analysis . This report provides an overview of problems and suggestions but is not an attempt to propose solutions to this complex problem .



